

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>UNITED STATES OF AMERICA</b>	:	CRIMINAL NO.
v.	:	DATE FILED:
<b>JERRY FLEMMING</b>	:	<b>VIOLATIONS:</b>
a/k/a "Ayo Black"	:	18 U.S.C. § 371 (conspiracy – 1 count)
	:	18 U.S.C. § 922(e) (transporting firearms on a common carrier – 1 count)
	:	18 U.S.C. 2 (aiding and abetting)
		Notice of forfeiture

**INDICTMENT**

**COUNT ONE**

**THE GRAND JURY CHARGES THAT:**

At all times material to this indictment:

1. Defendant JERRY FLEMMING was a resident of New Jersey, was not a federal firearms licensee ("FFL"), and was not authorized to deal, import, or manufacture firearms under federal law.
2. Tyrone Patterson, charged elsewhere, was a resident of North Carolina, was not a federal firearms licensee ("FFL"), and was not authorized to deal, import, or manufacture firearms under federal law.
3. Junious Flemming, charged elsewhere, was a resident of New Jersey, was not a federal firearms licensee ("FFL"), and was not authorized to deal, import, or manufacture firearms under federal law.
4. LaShelia Eaton-Jacobs, charged elsewhere, was a resident of North Carolina, was not a federal firearms licensee ("FFL"), and was not authorized to deal, import, or

manufacture firearms under federal law.

5. From on or about October 24, 2020, through on or about March 9, 2021, in the Eastern District of Pennsylvania and elsewhere, defendant

**JERRY FLEMMING,  
a/k/a "Ayo Black,"**

conspired and agreed, together and with Tyrone Patterson, Junious Flemming, and LaShelia Eaton-Jacobs, to commit offenses against the United States, that is, to engage in the business of dealing firearms, in violation of Title 18, United States Code, Section 922(a)(1)(A); to transport firearms across state lines, in violation of Title 18, United States Code, Section 922(a)(3); to transfer firearms to a resident of a different state, in violation of Title 18, United States Code, Section 922(a)(5); and to transport firearms on a common carrier, in violation of Title 18, United States Code, Section 922(e).

#### **MANNER AND MEANS**

It was part of the conspiracy that:

6. Defendant JERRY FLEMMING and Junious Flemming sent money to Tyrone Patterson so that Patterson could purchase firearms in North Carolina. Junious Flemming traveled to North Carolina and took possession of firearms purchased by Patterson. Additionally, Patterson traveled, by both Amtrak trains and a private vehicle, from North Carolina to Philadelphia, Pennsylvania, to deliver firearms Patterson and LaShelia Eaton-Jacobs purchased to defendant JERRY FLEMMING and Junious Flemming, who then sold the firearms for profit.

### OVERT ACTS

In furtherance of the conspiracy and to accomplish its objects, the following overt acts, among others, were committed in the Eastern District of Pennsylvania and elsewhere:

1. On or about October 24, 2020:

- a. Junious Flemming drove to North Carolina to meet with Tyrone Patterson.
- b. Tyrone Patterson and Junious Flemming went into Cross Creek Outdoor Supplies in Henderson, North Carolina, where Junious Flemming identified a firearm that he wanted Patterson to purchase for him.
- c. Junious Flemming and Tyrone Patterson left Cross Creek Outdoor Supplies, whereupon Junious Flemming gave Patterson United States currency to purchase the firearm.
- d. Tyrone Patterson reentered Cross Creek Outdoor Supplies and purchased a Taurus, Model G3, 9mm semi-automatic pistol, bearing serial number ABK037658, with the United States currency provided to him by Junious Flemming.
- e. Tyrone Patterson left Cross Creek Outdoor Supplies, met with Junious Flemming and gave the firearm to Junious Flemming.

2. On or about December 14, 2020:

- a. Junious Flemming caused approximately \$1,200 to be sent through Cash App, an online money transfer application program, to Tyrone Patterson so Patterson could purchase firearms for Junious Flemming.

b. Tyrone Patterson went to Steve's Guns in Louisburg, North Carolina, and, at the direction of Junious Flemming, purchased a FN USA, Model 509, 9mm semi-automatic pistol, bearing serial number GKS0016923, and a Smith & Wesson, Model SD40, .40 caliber semi-automatic pistol, bearing serial number FCW4350, with the money sent to him by Junious Flemming.

3. On or about December 22, 2020:

a. Junious Flemming drove to North Carolina, met Tyrone Patterson, and drove Patterson to Cross Creek Outdoor Supplies in Henderson, North Carolina.

b. Junious Flemming gave United States currency to Tyrone Patterson so Patterson could purchase firearms for Junious Flemming.

c. Tyrone Patterson entered Cross Creek Outdoor Supplies and purchased a Taurus, Model G2C, 9mm semi-automatic pistol, bearing serial number ABH786407; a German Sport Guns, Firefly Model, .22 LR semi-automatic pistol, bearing serial number F452644; and a Smith & Wesson, model SD, 9mm semi-automatic pistol, bearing serial number FCR9391, with the money given to him by Junious Flemming.

d. Tyrone Patterson left Cross Creek Outdoor Supplies, met with Junious Flemming and gave all three firearms purchased on December 22, 2020, and the two firearms Patterson purchased on December 14, 2020, to Junious Flemming.

4. On or about January 6, 2021, through on or about January 12, 2021, Junious Flemming used Cash App to send approximately \$2,470 to Tyrone Patterson so that Patterson could purchase firearms for Junious Flemming.



5. On or about January 6, 2021, Tyrone Patterson went to Steve's Guns in Louisburg, North Carolina, and purchased a Smith & Wesson, Model SD40, .40 caliber semi-automatic pistol, bearing serial number FCW5865, and a Beretta, Model APX, 9mm semi-automatic pistol, bearing serial number AO95255X, for Junious Flemming with the money sent to him by Junious Flemming.

6. On or about January 8, 2021:

a. Tyrone Patterson went to Steve's Guns in Louisburg, North Carolina, and purchased a Canic, Model TP9SA, 9mm semi-automatic pistol, bearing serial number T6472-20AP09892 for Junious Flemming.

b. Tyrone Patterson used Cash App to send approximately \$300 to J.J., a person known to the grand jury, as payment for the purchase of a Beretta, Model APX, 9mm semi-automatic pistol from J.J.

7. On or about January 12, 2021, Tyrone Patterson went to Cross Creek Outdoor Supplies in Henderson, North Carolina, and purchased a Taurus, Model PT140, .40 caliber semi-automatic pistol, bearing serial number SQH28943, for Junious Flemming.

8. On or about January 13, 2021:

a. Tyrone Patterson boarded an Amtrak train in Raleigh, North Carolina, transporting in his luggage the five firearms he purchased from January 6, 2021 through January 12, 2021, as well as a Springfield, Model XD, 9mm semi-automatic pistol, bearing serial number AT186103, that he redeemed from KC Top Pawn & Gold on December 16, 2020, and then disembarked at 30th Street Station in Philadelphia, Pennsylvania.

b. Junious Flemming picked up Tyrone Patterson in Philadelphia, where Junious Flemming took possession of the firearms.

c. Junious Flemming and Tyrone Patterson drove to Trenton, New Jersey, whereupon Junious Flemming entered a residence with a bag containing the firearms. Junious Flemming and Patterson then drove to and entered a second residence in Trenton, whereupon Junious Flemming sold a Beretta firearm, that Patterson purchased, to a person who is unknown to the grand jury.

9. On or about January 14, 2021, Tyrone Patterson took an Amtrak train from Trenton, New Jersey, to Raleigh, North Carolina.

10. On or about January 24, 2021, through on or about February 11, 2021, Junious Flemming used Cash App to send approximately \$3,485 to Tyrone Patterson so that Patterson could purchase firearms for Junious Flemming.

11. On or about January 24, 2021, Tyrone Patterson went to Steve's Guns in Louisburg, North Carolina, and purchased an SCCY, Model CPX-2, 9mm semi-automatic pistol, bearing serial number C042812 for Junious Flemming.

12. On or about January 30, 2021, Tyrone Patterson went to Steve's Guns in Louisburg, North Carolina, and purchased an SCCY, Model CPX-2, 9mm semi-automatic pistol, bearing serial number C042969 for Junious Flemming.

13. On or about February 6, 2021, Tyrone Patterson went to Steve's Guns in Louisburg, North Carolina, and purchased an SCCY, Model CPX-2, 9mm semi-automatic pistol, bearing serial number C073447 for Junious Flemming.

14. On or about February 8, 2021, Tyrone Patterson went to Patriot Shooting Sports in Youngsville, North Carolina, and purchased a Taurus, Model G2C, 9mm semi-automatic pistol, bearing serial number ACA410619 for Junious Flemming.

15. On or about February 9, 2021, Tyrone Patterson went to Steve's Guns in Louisburg, North Carolina, and purchased an SCCY, Model CPX-2, 9mm semi-automatic pistol, bearing serial number C082470 for Junious Flemming.

16. On or about February 11, 2021, Tyrone Patterson went to Steve's Guns in Louisburg, North Carolina, and purchased an SCCY, Model CPX-2, 9mm semi-automatic pistol, bearing serial number C082469 for Junious Flemming.

17. On February 12, 2021:

a. Tyrone Patterson boarded an Amtrak train in Raleigh, North Carolina, transporting the six firearms he purchased from January 24, 2021, through February 11, 2021, and then disembarked at 30th Street Station in Philadelphia, Pennsylvania.

b. Junious Flemming picked up Tyrone Patterson in a vehicle and took possession of the firearms.

c. Tyrone Patterson and Junious Flemming drove to a residence in Trenton, New Jersey where they met defendant JERRY FLEMMING and left four of the six firearms in defendant JERRY FLEMMING'S residence, while Junious Flemming kept two of the firearms for himself.

18. On or about February 13, 2021, Tyrone Patterson took an Amtrak train from Trenton, New Jersey, to Raleigh, North Carolina.

19. From on or about February 16, 2021, through on or about February 27, 2021, Junious Flemming used Cash App to send approximately \$3,795 to Tyrone Patterson so that Patterson and LaShelia Eaton-Jacobs could purchase firearms for Junious Flemming.

20. On February 16, 2021, Tyrone Patterson went to Carolina Gunrunners in Raleigh, North Carolina, and purchased a Smith & Wesson, Model SD40VE, .40 caliber semi-automatic pistol, bearing serial number FDB7924, and a Smith & Wesson, Model SD40VE, .40 caliber semi-automatic pistol, bearing serial number FDB8033, for Junious Flemming.

21. On February 24, 2021:

a. LaShelia Eaton-Jacobs went to Perry's Gun Shop in Wendell, North Carolina, and purchased a Taurus, Model G3, 9mm semi-automatic pistol, bearing serial number ACA439243; a Taurus, Model G3, 9mm semi-automatic pistol, bearing serial number ACA439526; a Taurus, Model G3, 9mm semi-automatic pistol, bearing serial number ACA439785; a Taurus, Model G3, 9mm semi-automatic pistol, bearing serial number ACA439773; and a Taurus, Model G3, 9mm semi-automatic pistol, bearing serial number ACA395925, and gave these firearms to Tyrone Patterson knowing that Patterson planned to deliver them to Junious Flemming.

b. Tyrone Patterson went to Perry's Gun Shop in Wendell, North Carolina and purchased a Taurus, Model G2C, 9mm semi-automatic pistol, bearing serial number ACA446963; and a German Sports Gun, Firefly Model, .22 caliber semi-automatic pistol, bearing serial number F462795 for Junious Flemming.



22. On or about February 25, 2021, Tyrone Patterson went to Perry's Gun Shop in Wendell, North Carolina, and purchased a Ruger, American Model, .45 caliber semi-automatic pistol, bearing serial number 86156502, for Junious Flemming.

23. On or about February 27, 2021, LaShelia Eaton-Jacobs went to Perry's Gun Shop in Wendell, North Carolina, and purchased a Taurus, Model G3, 9mm semi-automatic pistol, bearing serial number ACA439551; and a Taurus, Model G2C, 9mm semi-automatic pistol, bearing serial number ACA442142, for Tyrone Patterson.

24. On or about March 1, 2021, Tyrone Patterson used a vehicle to transport the 12 firearms purchased between February 16, 2021, and February 27, 2021, by Patterson and LaShelia Eaton-Jacobs, to Philadelphia, Pennsylvania, whereupon he met Junious Flemming and gave the firearms to Junious Flemming.

25. From on or about March 8, 2021, through on or about March 9, 2021, defendant JERRY FLEMMING and Junious Flemming used Cash App to send approximately \$4,113 to Tyrone Patterson so that Patterson could purchase firearms for them.

26. On or about March 8, 2021:

a. Tyrone Patterson went to Perry's Gun Shop in Wendell, North Carolina, and purchased a Taurus, Model G3, 9mm semi-automatic pistol, bearing serial number ACA439697; a Taurus, Model G2C, .40 caliber semi-automatic pistol, bearing serial number ACB504498; a Taurus, Model G3, 9mm semi-automatic pistol, bearing serial number ACA439405; a Taurus, Model G3, 9mm semi-automatic pistol, bearing serial number ACA439483; a Taurus, Model G3, 9mm semi-automatic pistol, bearing serial number ACA439485; a Taurus, Model G3, 9mm semi-automatic pistol, bearing serial number

ACA438678; a Taurus, Model G2C, .40 caliber semi-automatic pistol, bearing serial number ACB530097; a Taurus, Model G3, 9mm semi-automatic pistol, bearing serial number ACA396052; and a Springfield, Hellcat Model, 9mm semi-automatic pistol, bearing serial number BA107218, for defendant JERRY FLEMMING and Junious Flemming.

b. Tyrone Patterson went to Carolina Gunrunners in Raleigh, North Carolina, and purchased an SCCY, Model CPXI CB, 9mm semi-automatic pistol, bearing serial number 230829, for Junious Flemming.

27. On or about March 9, 2021, Tyrone Patterson boarded an Amtrak train in Raleigh, North Carolina, transporting the ten firearms he purchased on March 8, 2021, and then disembarked at 30th Street Station in Philadelphia, Pennsylvania where he met with Junious Flemming.

All in violation of Title 18, United States Code, Section 371.

**COUNT TWO**

**THE GRAND JURY FURTHER CHARGES THAT:**

1. Paragraphs 1 through 4 of Count One and Overt Acts 25 through 27 of Count One are incorporated herein.

2. On or about March 9, 2020, in Philadelphia, in the Eastern District of Pennsylvania, and elsewhere, defendant

**JERRY FLEMMING,  
a/k/a "Ayo Black,"**

knowingly delivered and caused to be delivered, and aided and abetted the delivery of, packages and other containers in which there were firearms, that is, the firearms described in the below chart, to a common carrier, that is, Amtrak, for transportation and shipment in interstate commerce, that is, from North Carolina to Pennsylvania, to persons, other than a licensed importer, manufacturer, dealer, and collector of firearms, within the meaning of Chapter 44, Title 18, United States Code, without giving written notice to Amtrak that the firearms were being transported and shipped, or delivering the firearms into the custody of Amtrak.

<b>Firearms</b>
Taurus, Model G3, 9mm semi-automatic pistol, bearing serial number ACA439697
Taurus, Model G2C, .40 caliber semi-automatic pistol, bearing serial number ACB504498
Taurus, Model G3, 9mm semi-automatic pistol, bearing serial number ACA439405
Taurus, Model G3, 9mm semi-automatic pistol, bearing serial number ACA439483
Taurus, Model G3, 9mm semi-automatic pistol, bearing serial number ACA439485
Taurus, Model G3, 9mm semi-automatic pistol, bearing serial number ACA438678
Taurus, Model G2C, .40 caliber semi-automatic pistol, bearing serial number ACB530097

Taurus, Model G3, 9mm semi-automatic pistol, bearing serial number ACA396052

Springfield, Hellcat Model, 9mm semi-automatic pistol, bearing serial number BA107218

SCCY, Model CPXI CB, 9mm semi-automatic pistol, bearing serial number 230829

All in violation of Title 18, United States Code, Sections 922(e), 2, and  
924(a)(1)(d).



**NOTICE OF FORFEITURE**

**THE GRAND JURY FURTHER CHARGES THAT:**

As a result of the violations of Title 18, United States Code, Section and 922(e) set forth in this indictment, defendant

**JERRY FLEMMING,  
a/k/a "Ayo Black,"**

shall forfeit to the United States of America the firearms involved in the commission of such violation, including:

1. a Taurus, Model G3, 9mm semi-automatic pistol, bearing serial number ACA439697;
2. a Taurus, Model G2C, .40 caliber semi-automatic pistol, bearing serial number ACB504498;
3. a Taurus, Model G3, 9mm semi-automatic pistol, bearing serial number ACA439405;
4. a Taurus, Model G3, 9mm semi-automatic pistol, bearing serial number ACA439483;
5. a Taurus, Model G3, 9mm semi-automatic pistol, bearing serial number ACA439485;
6. a Taurus, Model G3, 9mm semi-automatic pistol, bearing serial number ACA438678;
7. a Taurus, Model G2C, .40 caliber semi-automatic pistol, bearing serial number ACB530097;

8. a Taurus, Model G3, 9mm semi-automatic pistol, bearing serial number ACA396052;


9. a Springfield, Hellcat Model, 9mm semi-automatic pistol, bearing serial number BA107218; and

10. a SCCY, Model CPXI CB, 9mm semi-automatic pistol, bearing serial number 230829.

All pursuant to Title 28, United States Code, Section 2461(c), and Title 18, United States Code, Section 924(d).

**A TRUE BILL:**

  
**GRAND JURY FOREPERSON**

  
**JENNIFER ARBITTIER WILLIAMS**  
Acting United States Attorney

No. \_\_\_\_\_

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**UNITED STATES DISTRICT COURT**

Eastern District of Pennsylvania

Criminal Division

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**THE UNITED STATES OF AMERICA**

vs.

**JERRY FLEMMING**  
a/k/a "Ayo Black"

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**INDICTMENT**

**Counts**

18 U.S.C. § 371 (conspiracy— 1 count)  
18 U.S.C. § 922 (e) (transporting firearms on a common carrier — 1 count)  
18 U.S.C. 2 (aiding and abetting) Notice of forfeiture

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A true bill

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Filed in open court this \_\_\_\_\_ day,  
Of \_\_\_\_\_ A.D. 20 \_\_\_\_\_

\_\_\_\_\_  
Clerk

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Bail, \$ \_\_\_\_\_